

(d) If a final court order or judgment finds that the composition of the board of trustees of the Weatherford Junior College District as composed under this Act is invalid, the court-ordered remedy shall require the appointment of members of the board of trustees by the commissioners court of each county in which a branch campus of the district is located in the manner described by Section 130.0828, Education Code, as added by this Act, so that the composition of the board of trustees complies with applicable law.

(e) Section 311.032(a), Government Code, applies to this Act.

SECTION 4. This Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 10, 2017: Yeas 25, Nays 5.

Approved May 22, 2017.

Effective September 1, 2017.

**A PROHIBITION OF A MONITORING SYSTEM
PERFORMANCE INDICATOR BASED SOLELY ON THE
NUMBER OR PERCENTAGE OF STUDENTS RECEIVING
SPECIAL EDUCATION SERVICES**

CHAPTER 59

S.B. No. 160

AN ACT

relating to a prohibition of a monitoring system performance indicator based solely on the number or percentage of students receiving special education services.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter A, Chapter 29, Education Code, is amended by adding Section 29.0011 to read as follows:

Sec. 29.0011. PROHIBITED PERFORMANCE INDICATOR. (a) Notwithstanding Section 29.001(5), Section 29.010, or any other provision of this code, the commissioner or agency may not adopt or implement a performance indicator in any agency monitoring system, including the performance-based monitoring analysis system, that solely measures a school district's or open-enrollment charter school's aggregated number or percentage of enrolled students who receive special education services.

(b) Subsection (a) does not prohibit or limit the commissioner or agency from meeting requirements under:

(1) 20 U.S.C. Section 1418(d) and its implementing regulations to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and in the school districts and open-enrollment charter schools in the state with respect to the:

(A) identification of children as children with disabilities, including the identification of children as children with particular impairments;

(B) placement of children with disabilities in particular educational settings; and

(C) incidence, duration, and type of disciplinary actions taken against children with disabilities, including suspensions and expulsions; or

(2) 20 U.S.C. Section 1416(a)(3)(C) and its implementing regulations to address in the statewide plan the percentage of school districts and open-enrollment charter schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all

the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed the Senate on April 19, 2017: Yeas 31, Nays 0; passed the House on May 9, 2017: Yeas 145, Nays 0, two present not voting.

Approved May 22, 2017.

Effective May 22, 2017.

**NOTICE TO POLICYHOLDERS AND AGENTS OF CERTAIN
CHANGES TO PROPERTY AND CASUALTY INSURANCE
POLICIES**

CHAPTER 60

S.B. No. 417

AN ACT

relating to notice to policyholders and agents of certain changes to property and casualty insurance policies.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 551.103, Insurance Code, is amended to read as follows:

Sec. 551.103. **CANCELLATION.** For the purposes of this subchapter, an insurer has canceled an insurance policy if the insurer, without the consent of the insured:

- (1) terminates coverage provided under the policy;
- (2) refuses to provide additional coverage to which the insured is entitled under the policy; or
- (3) *except as provided by Section 551.1055*, reduces or restricts coverage under the policy by endorsement or other means.

SECTION 2. Subchapter C, Chapter 551, Insurance Code, is amended by adding Section 551.1055 to read as follows:

Sec. 551.1055. **CHANGES TO POLICY ON RENEWAL.** (a) In this section, "material change" means a change to a policy that, with respect to a prior or existing policy:

- (1) reduces coverage;
- (2) changes conditions of coverage; or
- (3) changes the duties of the insured.

(b) Notwithstanding Section 551.103, a change to a policy provision on renewal is not a nonrenewal or cancellation under this subchapter if the insurer provides the insured with written notice in accordance with this section of any material change in each form of the policy offered to the insured on renewal from the form of the policy held immediately before renewal.

(c) Notice provided under Subsection (b) must:

- (1) appear in a conspicuous place in the notice of renewal;
- (2) clearly indicate each material change to the policy being made on renewal;
- (3) be written in plain language; and
- (4) be provided to the insured not later than the 30th day before the renewal date.

(d) In addition to the notice to the insured provided under Subsection (b), if an insurer elects to make a material change to a policy form on renewal, not later than the 30th day before the earliest renewal date on which the new policy form is used, the insurer shall provide written notice to each agent of the insurer that clearly indicates each material